

WILLIAMSBURG PLANNING COMMISSION MINUTES

Wednesday, January 16, 2002

The regular monthly meeting of the Williamsburg Planning Commission was held on Wednesday, January 16, 2002, at 3:30 p.m. in the Council Chambers at the Stryker Building.

CALL TO ORDER and ATTENDANCE

2001 First Vice Chairman Davis called the meeting to order and welcomed new Commissioners Audrey B. Smith and Joe Hertzler. Present in addition to Mrs. Davis, Mrs. Smith and Mr. Hertzler were Commissioners Scruggs, Freiling, and Friend. Commissioner Young was absent. Also present were Planning Director Nester, Zoning Administrator Murphy, City Attorney Phillips and Secretary Scott.

ELECTION OF OFFICERS

City Attorney Joe Phillips presided over the election of the 2002 Chairman by opening the floor for nominations.

Mr. Scruggs nominated Marguerite Davis for the 2002 Chairman. Mr. Friend seconded the nomination. There being no additional nominations for Chairman, the nominations were closed. Mrs. Davis was elected Chairman by roll call vote of 6-0.

Chairman Davis took the gavel from Mr. Phillips and asked for nominations for First Vice Chairman. Mr. Friend nominated Billy Scruggs for First Vice Chairman with Paul Freiling seconding the motion. There being no additional nominations for First Vice Chairman, the nominations were closed. Mr. Scruggs was elected First Vice Chairman by roll call vote of 6-0.

Mr. Scruggs nominated Mr. Freiling for Second Vice Chairman with Mr. Friend seconding the motion. There being no additional nominations for Second Vice Chairman, the nominations were closed. Mr. Freiling was elected Second Vice Chairman by roll call vote of 6-0.

Chairman Davis asked for nominations for Commission secretary. Mr. Freiling nominated Dee Scott for secretary. Ms. Scott was elected secretary by roll call vote of 6-0.

MINUTES

Mr. Scruggs moved that the minutes of the December 19 regular meeting be approved as submitted. The motion carried by roll call vote of 4-0-2. The two new Commission members abstained from voting.

CONSENT AGENDA

SPR #24-01: Pizza Hut, 1611 Richmond Road – new 3,400 square foot restaurant.
The Commission approved the site plan with one contingency.

Mr. Scruggs moved that the item on the consent agenda, **SPR #24-01**, be approved contingent upon the sanitary sewer agreement being obtained prior to the issuance of any building or land disturbing permits for the project. Mr. Freiling seconded the motion which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye:	Smith, Freiling, Davis, Scruggs, Hertzler, Friend
No:	None
Absent:	Young

PUBLIC HEARINGS

CIP: Five-Year Capital Improvement Program (FY03 to FY07). Citizens are requested to present items for inclusion in the Capital Improvement Program. ***Work session on CIP is scheduled for Wednesday, January 23 at 9:00 a.m. in Conference Room 3A in the Municipal Building.***

Mr. Nester stated that Commission discussion regarding the Capital Improvement Program would be reserved for the work session on January 23, however public comment is always encouraged.

Chairman Davis opened the public hearing on the Capital Improvement Program asking if anyone in the audience had anything they would like to have included in the Capital Improvement Program.

There being no comment the public hearing was closed.

Mr. Scruggs stated that he was distressed that no one offered any input for the CIP. He added that the CIP is made up of big ticket, non-recurring items such as fire trucks, police cars, sewer lines, sidewalks, underground wiring, and neighborhood improvements. He encouraged resident presence at the work session on January 23 in order for priorities to be established. He concluded his comments by saying that anybody who wants something to be done, needs to realize there is a finite amount of money and this is where the pot begins to be divided. In answer to his question about advertisement for the work session, Mr. Nester responded that there is a mailing list of about 45 people who receive the work session announcement and it is also posted on the City's web site.

The Commission decided to change the work session from 9:00 a.m. to 10:00 a.m. since City Manager Jack Tuttle would be available to attend at the later time.

Mr. Freiling asked that citizens attending the work session be present promptly at 10:00 so backtracking won't be necessary.

PCR #01-02: Request of the Williamsburg United Methodist Church for a special use permit to use the former Cary Street Bistro at 500 Jamestown Road for classroom and office space. The second floor apartments would continue with their present use. This property is zoned RS-2 Single Family Dwelling District. The Commission recommended approval by a roll call vote of 6-0.

Mr. Nester reviewed the memorandum dated January 4, 2002.

Mr. Freiling asked if the legal non-conforming status of the property would be lost if this request is approved. Mr. Nester responded that the non-conforming status would no longer be in effect if discontinued for more than two years. He added that the applicant is aware of this fact and there would be no violation if existing kitchen facilities were to remain.

Chairman Davis stated that James Patterson, Church representative, is present today for any comments/questions. She then opened the public hearing,

There being no comments the public hearing was closed.

Mr. Scruggs moved that the Commission recommend to City Council that the special use permit to allow the Williamsburg United Methodist Church to expand into the former Cary Street Bistro at 500 Jamestown Road for classroom and office space be approved. Mr. Freiling seconded the motion which carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye:	Smith, Freiling, Davis, Scruggs, Hertzler, Friend
No:	None
Absent:	Young

PCR #02-02: Amendment of Chapter 21, Zoning, of the Williamsburg City Code, Article IV, Sec. 21-609(a). Satellite Dishes and Antennae. It is proposed to update the City's satellite dish regulations to comply with current FCC regulations. The Commission recommended to City Council that the proposed revisions to the Satellite Dish regulations be approved by roll call vote of 6-0.

Mr. Nester noted that the City's regulations for satellite dishes were last updated in 1995 and are too restrictive based on recent FCC limitations.

Mr. Hertzler asked if there is any color restriction for the dishes and Mr. Nester responded that there is no color restriction, although in non-residential districts the ordinance states that all satellite dishes shall be of a subdued color to blend with the landscape.

Chairman Davis opened the public hearing

There being no comment the public hearing was closed.

It was noted that in a residential district, a satellite dish with a diameter of one meter (39.37 inches) or less shall be permitted by right. In non-residential districts, satellite dishes of more than one meter shall be permitted by right, but shall not exceed ten feet in diameter. Mr. Hertzler said he hates to see the dishes mar the view. Mrs. Davis added that she couldn't agree more, but this amendment only brings the City regulations in line with current FCC regulations.

Mr. Freiling moved that the Commission recommend to City Council that the proposed revisions to the Satellite Dish regulations be approved. The motion was seconded by Billy Scruggs and carried by roll call vote of 6-0.

Recorded vote on the motion:

Aye:	Smith, Freiling, Davis, Scruggs, Hertzler, Friend
No:	None
Absent:	Young

OPEN FORUM

Chairman Davis opened the Open Forum portion of the meeting encouraging comments from the audience on any topic.

There being no comment the Open Forum portion of the meeting was closed.

SITE PLANS AND SUBDIVISIONS

SPR #24-01 was approved under the consent agenda.

OLD BUSINESS - None

NEW BUSINESS - None

OTHER

Appointment to Planning Commission Committees

Chairman Davis appointed the following Commissioners to the noted committees:

Site Plan Review Committee –	Charles Friend Joe Hertzler Billy Scruggs
Regional Issues Committee -	Paul Freiling
Beautification Advisory Committee -	Audrey B. Smith

Expressions of Appreciation

Mr. Freiling expressed his appreciation to outgoing Planning Commission member Joe Finelli for his efforts on behalf of the citizens of Williamsburg. Mrs. Davis added her thanks for the six years Mr. Finelli was a Commissioner. She also noted that outgoing Planning Commission member and Chairman, Scott Spence, also would be missed. The Commission expressed general consensus on these sentiments.

INFORMATION ITEMS

Report from City Council was received.

Planning Department Monthly Report was received.

Monthly Financial Statement was received.

Annual Reports for the Planning Commission, Board of Zoning Appeals, and Architectural Review Board were received.

PUBLIC HEARINGS SCHEDULED FOR February 20 – None are scheduled

The meeting adjourned at 4:15 p.m.

Marguerite Davis, Chairman
Williamsburg Planning Commission